

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 18, 1998

DIVISION ONE

B120691 City of Long Beach (Not for Publication)

v.

Superior Court of Los Angeles County

Exxon Corp., rpi

Let a peremptory writ of mandate issue, commanding respondent court (1) to vacate that portion of its March 5, 1998 ruling denying the City of Long Beach its right to a jury trial and (2) to enter a new order declaring that the city is entitled to a jury trial. The city is entitled to its costs in connection with this proceeding.

Masterson, J.

We concur: Spencer, P.J.

Dunn, J. (Assigned)

B113227 Randolph Gonzalez (Not for Publication)

v.

David Reaver et al.

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.

Vogel (Miriam A.), J.

August 18, 1998-Continued

DIVISION ONE (Continued)

B112165 1972 Tax Shelter Partnership I (Not for Publication)

v.

Elnetta Johnson etc. et al.

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.

Dunn, J. (Assigned)

B113553 Steven Hornwood et al. (Not for Publication)

v.

City of Beverly Hills

The judgment is affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.

Dunn, J. (Assigned)

DIVISION TWO

B112336 People (Not for Publication)

v.

Rodriguez

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Nott, J.

August 18, 1998-Continued

DIVISION TWO (Continued)

B117613 People (Not for Publication)

v.
Maye

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

DIVISION THREE

B108498 People (Not for Publication)

V.
Smith

The sentence is vacated and the matter is remanded for a new trial on the alleged prior conviction and prison term, and for resentencing. In all other respects, the judgment is affirmed.

Kitching, Acting P.J.

We concur: Aldrich, J.
Goodman, J. (Assigned)

B113102 Francis J. Hubert (Not for Publication)

v.
Los Angeles Department of Water & Power etc. et al.

The judgment is affirmed. Costs on appeal awarded to defendant the Los Angeles Department of Water & Power.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

B115301 Shantal Rajah (Not for Publication)

v.
Michael Kamrava, et al.

The order vacating the default and default judgment is affirmed. Each side to bear their own costs on appeal.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B119581 Los Angeles County, D.C.S. (Not for Publication)

v.
Victor A.

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

B109998 Constantine S. Ananiades, et al. (Not for Publication)

v.
Alexander E. Koutras

The order granting restoration is affirmed. Koutras is awarded costs on appeal.

Kitching, J.

We concur: Klein, P.J.
 Aldrich, J.

DIVISION THREE (Continued)

B113447 Susan Wu Chen & Brian Y. Wu (Not for Publication)
 v.
 Yi-Chien Wu

The judgment is affirmed. Each party shall bear their own costs on appeal. Chen and Wu's request to reinstate their motions for production of additional evidence and for factual determinations on appeal, is denied.

Kitching, Acting P.J.

We concur: Aldrich, J.
 Goodman, J. (Assigned)

DIVISION FIVE

B112944 Marc Lafer (Not for Publication)
 v.
 Kimarie Downing

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Godoy Perez, J.

B111626 People (Certified for Partial Publication)
 v.
 Victor Leon Trotter

Filed order modifying opinion. (No change in the judgment.)

B111626 People
 v.
 Victor Leon Trotter

Petition for rehearing denied.

August 18, 1998-Continued

DIVISION FIVE (Continued)

B118882 People (Not for Publication)

V.

Jose Arambula

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.

Armstrong, J.

B113065 People (Not for Publication)

V.

Thomas Correll

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.

Grignon, J.

B111572 Lloyd Allan Roth (Not for Publication)

V.

Pasadena Area Community College District

The judgment is affirmed. Respondent to recover costs.

Godoy Perez, J.

We concur: Grignon, Acting P.J.

Armstrong, J.

August 18, 1998-Continued

DIVISION FIVE (Continued)

B119033 People (Not for Publication)

V.

Joseph A.

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.

Godoy Perez, J.

B117757 Los Angeles County, D.C.S. (Not for Publication)

V.

Marguerite B.

In re Christiani P.

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.

Grignon, J.

B112944 Marc Lafer (Not for Publication)

V.

Kimarie Downing

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.

Godoy Perez, J.

DIVISION FIVE (Continued)

B105846 Dan E. Butcher et al. (Not for Publication)

v.
Rolling Hills Country Club

The order granting the new trial on the issue of punitive damages and denying the motion on all other issues is affirmed. The order denying the motion for judgment notwithstanding the verdict is affirmed. The underlying judgment is modified to reduce the award of compensatory damages to \$40,000 and, as modified, is affirmed. The parties are to bear their own costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B117302 Jack Gold et al. (Not for Publication)

v.
Sirous Yeganhe et al.

The judgment is reversed. Appellant Robert H. Wyshak to recover his costs on appeal.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

B112592 Diana Roque Ellis (Not for Publication)

v.
William H. Ellis

The orders are affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
 Armstrong, J.

August 18, 1998-Continued

DIVISION FIVE (Continued)

B109259 People
v.
Charles Arthur Knox

Filed order granting appellant's and respondent's petitions for rehearing. Cause resubmitted.

B108920 David & Margarita Devis
v.
Bank of America et al.

Filed order denying petition for rehearing.

DIVISION SIX

[illegible]

The appeal is dismissed. In addition to the normal costs on appeal, Pruner is ordered to pay respondent a monetary sanction in the amount of \$8,525. A copy of this opinion shall be forwarded to the State Bar of California. (Bus. & Prof. Code, § 6086.7.)

Yegan, J.

We concur: Stone, P.J.
 Coffee, J.

B100420 Kamel (Not for Publication)
v.
Fire Insurance Exchange

The judgment is affirmed. Costs to respondents.

Yegan, J.

We concur: Stone, P.J.
Coffee, J.

August 18, 1998-Continued

DIVISION SIX (Continued)

B122593 Rebecca M. (Not for Publication)
v.
S.L.O. Superior Court
S.L.O. Social Services

The petition is denied.

Yegan, J.

We concur: Gilbert, Acting P.J.
 Coffee, J.

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Stone, P.J.
 Coffee, J.

B115577 Wayne (Not for Publication)
v.
Allstate Insurance Company

The judgment is affirmed. Costs are awarded to respondent.

Gilbert, Acting P.J.

We concur: Yegan, J.
Coffee, J.

August 18, 1998-Continued

DIVISION SEVEN

B109059 Afriat, et al. (Not for Publication)

v.
Ungvari, et al.

The judgment is reversed and remanded for further proceedings consistent with this opinion. Appellants shall recover their costs.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

B114492 People (Not for Publication)

v.
Barnes

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

B108843 People

V.
Fugawa

Filed order denying petition for rehearing.

B114858 People

V.
Truesdale

Filed order denying petition for rehearing.

DIVISION SEVEN (Continued)

B104556 People
 v.
 White, Carr

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)